

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF IOWA

WESTERN DIVISION

KARLA O'NELL NORAMBUENA, et al.,
Plaintiff(s)

vs.

WESTERN IOWA TECH COMMUNITY COLLEGE, et al.,
Defendant(s)

HEARING MINUTES Sealed: No

Case No.: 20-CV-4054-LTS-KEM

Presiding Judge: Kelly Mahoney, Magistrate Judge

Deputy Clerk: Paige Burnham

Official Court Record: FTR Gold

Contract? No

Contact Information: -----

Date:	3/13/2024	Start:	2:01 p.m.	Adjourn:	2:18 p.m.	Courtroom:	KEM conference/library			
Recesses:	n/a				Time in Chambers:	n/a		Telephonic?	Yes	
Appearances:	Plaintiff(s):	Ben Bergmann								
	Defendant(s):	On behalf of the WITCC defendants: Scott Brennan On behalf of J&L Staffing and Albrecht: Sarah Millsap On behalf of Tur-Pak: Asher Horcher On behalf of Royal Canin: Dave Repking and Emily Mankowski								
TYPE OF PROCEEDING:		STATUS CONFERENCE		Contested?	No	Continued from a previous date?		No		
		Motion(s):	N/A			Ruling:	N/A			
		Matters discussed:								
		<p>The discovery deadline was yesterday (03/12/24). The parties have a mediation scheduled for mid-April. Royal Canin notified plaintiffs in mid-February that they wanted to depose plaintiffs' damages expert, who was disclosed about three months prior. Plaintiffs do not want to incur the expense of an expert deposition (they estimate the expert would need at least 20 hours to prepare) before the mediation in mid-April. The other defendants agreed that this deposition could take place after the dispositive-motion deadline, as it would not be relevant to dispositive motions. Royal Canin disagrees. Royal Canin proposed an April 22 deposition date, but plaintiffs state the expert is unavailable due to preparing for and testifying in a first-degree murder trial. Plaintiffs suggested a deposition the week of May 6 with a two-week extension of the dispositive-motion deadline, currently set for May 7, 2024. Royal Canin indicated they would be agreeable to this if the dispositive-motion deadline were extended by three weeks, as they believe they will need three weeks after the deposition to obtain a transcript and prepare their dispositive motion.</p> <p>The three-week trial in this case is currently set for October 7, 2024, and a two- or three-week extension of the dispositive motion deadline would not leave 150 days between that deadline and trial as required by the local rules. The court declines to extend the dispositive-motion deadline at this time. The court indicates a "wait and see" approach makes sense. The court encourages plaintiffs to try to find an earlier time to schedule the deposition (after the mediation). The court also encourages Royal Canin to prepare as much of their summary-judgment motion as possible without the deposition and transcript. The court notes Royal Canin should be able to form its arguments depending on the deposition without waiting for the transcript. If the case is not resolved through mediation, the court notes Royal Canin may move to extend the dispositive-motion deadline at that time; the court notes any motion will need to address the other parties' positions on continuing the trial date. The court strongly encourages the parties to work to schedule the deposition and prepare dispositive motions without the need to extend the motions deadline, as extending the motions deadline will necessitate continuing trial, which will be hard to reschedule given its length. The court notes under the circumstances (where the parties essentially agree to extend the discovery deadline to accommodate the deposition), it will not hold Royal Canin to the two-weeks-after-close-of-discovery deadline to file motions to compel set forth in the local rules.</p>								
		Witness/Exhibit List is	N/A							
		The offering party must, within 3 days after the hearing, file in electronic form any exhibit that was not filed with a motion, resistance, or other filing related to this hearing. Pub. Admin. Order 09-AO-03-P (5/29/09) ¶7.								
		Miscellaneous:	N/A							